

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:14-CV-00034-FDW-DSC**

SANDHURST-COLLINS, LLC,)
)
Plaintiff,)
)
vs.)
)
TRAVELERS CASUALTY)
INSURANCE COMPANY OF)
AMERICA,)
)
Defendant.)

ORDER

THIS MATTER is before the Court because Defendant has failed to file an answer to Plaintiff's Complaint, even after the Court granted Defendant's Motion for an Extension of Time to file an answer until March 12, 2014. (Doc. No. 6). The Court notes that Defendant's Partial Motion to Dismiss was based on Rule 12(b)(6) of the Federal Rules of Civil Procedure and therefore did not toll the deadline to file an answer under the Standing Order Governing Civil Case Management Before the Honorable Frank D. Whitney, Misc. No. 3:07-mc-00047 (Doc. No. 2). This Standing Order, which was transmitted to Defendant via ECF, states "a defendant who contemplates filing a Rule 12(b)(6) motion must still serve and file a timely responsive pleading." (Doc. No. 2) (emphasis in original). Accordingly, Defendant is ORDERED to file an answer to Plaintiff's Complaint by 5:00 pm on April 4, 2014. If Defendant fails to file an answer, the Court will entertain a motion for entry of default. Additionally, Defendant is STRONGLY ADVISED to review the Federal Rules of Civil Procedure, the Local Rules, and the Standing Order Governing Civil Case Management Before the Honorable Frank D. Whitney so that no other issues of this

sort arise again in these proceedings.

IT IS SO ORDERED.

Signed: April 2, 2014



Frank D. Whitney
Chief United States District Judge 